

REMARKS

In light of the following remarks, reconsideration of the present application is requested. Claims 1, 4-8, 19, and 26-32 are pending in the application. Claims 1, 4, 7, 8, 19, 27-29, 31, and 32 are amended. Claims 2, 3, 9-18, and 20-25 were previously cancelled.

35 U.S.C. §102 Rejections

Claims 1, 4-6, 8, 19, and 26-32 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication 2004/0126095 to Tsumagari et al. ("Tsumagari"). The Applicants respectfully traverse.

Initially, the Applicants note that claim 1 is amended to recite "downloading the external data from an external source, the external data including first audiovisual (AV) data and first enhanced data," and is further amended to recite "determining whether at least one of the first AV data, the second AV data, the first enhanced data, and the second enhanced data is to be reproduced." The Applicants have studied the Tsumagari document and cannot find the instant features disclosed therein. For at least this reason, the Applicants submit claim 1 is not anticipated by the Tsumagari document.

The Applicants also note claim 19 is amended to recite "at least one reproducing engine configured to process first audiovisual (AV) data and first enhanced data included in the external data and second AV data and second enhanced data included in the internal data" and is further amended to recite "a controller configured to ... determine whether at least one of the first AV data, the second AV data, the first enhanced data, and the second enhanced data is to be

reproduced.” The Applicants have studied the Tsumagari document and cannot find the instant features disclosed therein. For at least this reason, the Applicants submit claim 19 is not anticipated by the Tsumagari document.

For at least the reasons given above, the Applicants respectfully request the rejections of claim 1 and 19, and all claims which depend thereon, under 35 U.S.C. § 102(e) as being anticipated by Tsumagari be withdrawn.

35 U.S.C. §103 Rejections

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsumagari in view of U.S. Patent 7,116,894 to Chatterton (“Chatterton”), in further in view of U.S. Patent Publication 2004/0091249 to Mekenkamp et al. (“Mekenkamp”). The Applicants respectfully traverse.

As argued above, Tsumagari fails to disclose, at least, “downloading the external data from an external source, the external data including first audiovisual (AV) data and first enhanced data,” and “determining whether at least one of the first AV data, the second AV data, the first enhanced data, and the second enhanced data is to be reproduced,” as recited in claim 1. The Applicants further submit that neither Chatterton nor Mekenkamp disclose the instant feature. Accordingly, the Applicants submit that even if one skilled in the art did combine Tsumagari with Chatterton and Mekenkamp (the combinability of which is not admitted), the combination would not disclose the instant feature. Accordingly, the Applicants submit that the combination of Tsumagari and Chatterton and Mekenkamp cannot be relied on for rendering claim 1 obvious. The Applicants further submit that claim 7 is likewise nonobvious over the

combination of Tsumagari and Chatterton and Mekenkamp at least by virtue of its dependency on claim 1.

For at least the reasons given above, the Applicants respectfully request the rejection of claim 7 under 35 U.S.C. § 103(a) as being obvious over the combination of Tsumagari and Chatterton and Mekenkamp be withdrawn.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the pending claims in connection with the present application is earnestly solicited.

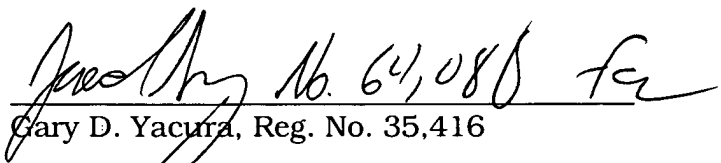
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

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Gary D. Yacura, Reg. No. 35,416

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

GDY/DMB:eaf